

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Olubukola Ajayi	Team: Team # 4	CCRB Case #: 201200929	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Wednesday, 01/18/2012 11:00 PM	Location of Incident: Brooklyn Central Booking	Precinct: 84	18 Mo. SOL 7/18/2013	EO SOL 7/18/2013	
Date/Time CV Reported Wed, 01/18/2012 11:14 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Sat, 01/21/2012 2:38 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM David Lamarre	01841	947929	077 PCT
2. Officers			
3. An officer			

Officer(s)	Allegation	Investigator Recommendation
A.POM David Lamarre	Force: PO David Lamarre used physical force against § 87(2)(b)	
B.POM David Lamarre	Discourtesy: PO David Lamarre spoke obscenely to § 87(2)(b)	
C.POM David Lamarre	Abuse: PO David Lamarre threatened § 87(2)(b) with the use of force.	
D. Officers	Force: Officers used physical force against § 87(2)(b)	
E. An officer	Discourtesy: An officer spoke obscenely to § 87(2)(b)	

Case Summary

On January 18, 2012, Sgt. Yaser Salim of the Brooklyn Court Section command called IAB's command center and reported a complaint on behalf of § 87(2)(b). The complaint (original IAB log # 12-04889) was referred to the CCRB on January 21, 2012. On January 23, 2011, § 87(2)(b) filed the same complaint over the phone with the CCRB. At approximately 11 p.m. on January 18, 2012, § 87(2)(b) was at Brooklyn Central Booking, located at 120 Schermerhorn Street in Brooklyn, following an arrest for burglary when an unidentified police officer called § 87(2)(b) out of a holding cell. When § 87(2)(b) exited the holding cell, he observed another officer, PO2 – who § 87(2)(b) referred to as "Waller" from the 72nd Precinct, arguing with an unknown defendant in the holding cell. § 87(2)(b)'s arresting officer, described as a uniformed black male with slight facial hair, black hair, and who was 5'9" or 6'1" tall, 220 pounds, in his early to mid-20s, and who § 87(2)(b) identified as PO David Lamarre of the 77th Precinct with shield number 1841, pushed him on the face with an open hand as he tried to assist PO2, who was involved in a verbal dispute with the unknown defendant (**Allegation A**). When § 87(2)(b) asked PO Lamarre for an apology and asked why he pushed him, PO Lamarre told him, "Get the fuck out of my face before I hurt you" (**Allegations B and C**). Five or six unidentified police officers grabbed § 87(2)(b) and threw him to the ground (**Allegation D**). The officers punched § 87(2)(b) in the face, head, back and ribs, ripped his hair out, and pulled his shoulders (**Allegation D**). PO Lamarre placed his knee on § 87(2)(b)'s head and handcuffed him (**Allegation A**). § 87(2)(b) passed out at some point and when he regained consciousness, an officer that he could not describe told him to "get the fuck off the ground" (**Allegation E**). PO Lamarre told § 87(2)(b) "Fuck you bitch" (**Allegation B**). An ambulance was called for § 87(2)(b) who allegedly sustained an unspecified neck injury, bruised ribs, bruises to his face, and pain to his back, shoulder, wrist and back. When EMS arrived on the scene, PO Lamarre escorted § 87(2)(b) to the ambulance. As § 87(2)(b) was being escorted to the ambulance, PO Lamarre told § 87(2)(b) that, "Word in the streets is that it could be a whole lot worse and I better not catch you in the street any time soon" (**Allegation C**). § 87(2)(b) was transported to § 87(2)(b) Hospital.

Allegations A, B, and C are pleaded against PO David Lamarre of the 77th Precinct because § 87(2)(b) identified him by name and shield number, and said he was the officer who arrested him on the incident date. **Allegation D** is pleaded against "officers" because § 87(2)(b) was unable to identify the officers that grabbed him, threw him to the floor and punched him while he was on the floor. **Allegation E** is also pleaded against "an officer" because § 87(2)(b) was unable to identify the officer that spoke discourteously to him.

On January 30, 2012, § 87(2)(b)'s criminal attorney, § 87(2)(b), was called on her office number and she said she did not want the CCRB to interview § 87(2)(b) pending the conclusion of his criminal proceedings. § 87(2)(b) was informed that the CCRB could not hold onto § 87(2)(b)'s case indefinitely and that § 87(2)(b) could either let the CCRB begin investigating his complaint now or withdraw his complaint pending the conclusion of his criminal matter and have it reopened once his criminal case was over. § 87(2)(b) said she would speak to § 87(2)(b) before making a decision. On February 2, 2012, § 87(2)(b) was called and she told the CCRB that she has not been able to speak to § 87(2)(b) and that she would call the CCRB as soon as she has done so. On the same date, the CCRB received a voice message from § 87(2)(b) asking the CCRB to call his civil lawyer, § 87(2)(b), if they had any questions for him. On February 9, 2012, § 87(2)(b) was called on his office number and a message was left for him with his secretary. On the same date, § 87(2)(b) was called on his cell phone number and a message was left for him with his wife. On February 9, 2012, § 87(2)(b) returned the CCRB's call and said § 87(2)(b) told him to follow § 87(2)(b)'s advice. The undersigned investigator told § 87(2)(b) that the CCRB has been unable to reach

§ 87(2)(b) and that whenever he speaks to § 87(2)(b) he should have him call the CCRB. On February 23, 2012, § 87(2)(b) was called on his office number and a message was left for him with his secretary. On March 1, 2012, § 87(2)(b) was called on her office number and she chose to withdraw the complaint on behalf of § 87(2)(b) pending the conclusion of his criminal matter. On March 1, 2012, a “complaint withdrawn” letter enclosed with a self-addressed envelope was mailed to § 87(2)(b). On March 4, 2012, § 87(2)(b) was called on her office number and asked if she would sign a withdrawn complaint letter on behalf of § 87(2)(b). § 87(2)(b) said that she would like § 87(2)(b)'s complaint to be left open until § 87(2)(b) when she and § 87(2)(b) would be expected to appear in court. She was told that a courtesy extension was being extended to her and § 87(2)(b) and that if nothing was heard back from her and § 87(2)(b) by April 23, 2012, the complaint will be closed as complainant uncooperative.

§ 87(2)(b), § 87(2)(g)

Team: _____

Investigator: _____	_____	_____
Signature	Print	Date

Supervisor: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date

Reviewer: _____	_____	_____
Title/Signature	Print	Date